

Message Text

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ACTION EA-09

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SUBJECT: NO INTERIM NATIONAL ASSEMBLY AND PERHAPS NO LEGISLATURE
UNTIL AFTER MAY 1977

REF: MANILA 10761

1. SUMMARY: ON AUG 15, PRESIDENT MARCOS TOLD MEMBERS OF NATIONAL EXECUTIVE COMMITTEE OF THE ASSOCIATION OF SANGGUNIANG BAYANS HE WILL NOT SUMMON INTERIM NATIONAL ASSEMBLY (INA). HE DIRECTED NATIONAL EXECUTIVE COMMITTEE TO UNDERTAKE CONSULTATIONS WITH PEOPLE ABOUT AMENDING 1973 CONSTITUTION AND ELECTING SPECIAL BODY FOR THIS PURPOSE. NATIONAL BARANGAY ASSOCIATION ANNOUNCED AUG 16 NATIONAL "PULONG" (INFORMAL REFERENDUM) WILL BE HELD SEPT 11. THERE IS CONFUSION WHEN ELECTIONS WILL BE HELD, BUT NEW LEGISLATIVE BODY WOULD PROBABLY NOT BE IN PLACE UNTIL WELL AFTER MAY 1977. MARCOS WARNED THAT IF ELECTION PROCEDURE SHOWED SIGNS OF OLD SOCIETY DISHONESTY, HE WOULD REVERT TO "CRISIS GOVERNMENT." DECISION NOT TO CONVENE INA AND AMEND 1973 CONSTITUTION PREPARATORY TO CREATION OF SOME NEW LEGISLATIVE BODY IS NO SURPRISE. PRESIDENT MARCOS WANTS TO RETAIN ABSOLUTE POWER AS WELL AS TO FOSTER IMPRESSION HE DESIRES NEW LEGISLATIVE BODY, ALTHOUGH HE APPARENTLY INTENDS SUCH A BODY TO BE POWERLESS. END SUMMARY.

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2. ON AUG 15, PRESIDENT MARCOS MET WITH 91 MEMBERS OF

NATIONAL EXECUTIVE COMMITTEE OF THE ASSOCIATION OF SANGGUNIAN BAYANS. GROUP, CREATED LAST JANUARY, MET FOR FIRST TIME AUG 14 TO DISCUSS CREATION OF NEW LEGISLATIVE BODY. MARCOS NOTED THAT WHILE 1973 CONSTITUTION SAYS PRESIDENT SHOULD SUMMON INA, PEOPLE HAVE VETOED THIS IN TWO NATIONAL REFERENDUMS. SOME WAY HAD TO BE FOUND TO SOLVE CURRENT "CONSTITUTIONAL IMPASSE." THUS, CONSTITUTION MUST BE AMENDED.

3. PRESIDENT DISCUSSED RESOLUTIONS ADOPTED BY NATIONAL EXECUTIVE COMMITTEE. THESE INCLUDED OBTAINING CONSENSUS OF NATIONAL COMMUNITY ON: (A) WHETHER TO "STAND PAT" ON RESULTS OF 1973 AND 1975 REFERENDUMS NOT TO CONVENE INA; (B) WHETHER TO AMEND CONSTITUTION; (C) WHO WOULD PROPOSE AMENDMENTS TO CONSTITUTION; AND (D) HOW MEMBERS SHOULD BE CHOSEN FOR CONSTITUTIONAL CONVENTION, IF ONE IS HELD EITHER BY DIRECT VOTE OR INDIRECT VOTE THROUGH BARANGAYS UNDER SUPERVISION OF THE COMMISSION ON ELECTIONS (COMELEC) MARCOS DIRECTED NATIONAL EXECUTIVE COMMITTEE TO CONSULT WITH PEOPLE ON NEED TO AMEND THE CONSTITUTION TO ELIMINATE INA AND PROVIDE FOR CREATION OF NEW LEGISLATIVE BODY. NATIONAL BARANGAY ASSOCIATION PROBABLY MET AUG 16 AND ANNOUNCED THERE WOULD BE NATIONAL "PULONG" SEPT 11 TO DISCUSS NATIONAL EXECUTIVE COMMITTEE'S RESOLUTIONS. "PULONG" WILL BE INFORMAL REFERENDUM. VOTE WILL BE BY SECRET BALLOT OR RAISING OF HANDS. RESULTS WILL BE SENT TO NATIONAL EXECUTIVE COMMITTEE.

4. MARCOS INSTRUCTED COMELEC TO CONDUCT PUBLIC HEARINGS TO DETERMINE WHETHER THERE SHOULD BE DIRECT OR INDIRECT VOTING FOR MEMBERS OF BODY WHICH WILL AMEND CONSTITUTION. HE SAID VOTERS ALSO MUST DECIDE WHETHER MEMBERS WOULD BE INSTRUCTED OR NON-INSTRUCTED. COMELEC ALSO TOLD TO PROPAGATE NEW ELECTION CODE WHICH WOULD ELIMINATE EVILS OF OLD SOCIETY ELECTIONS. MARCOS FORESAW NEXT THREE MONTHS DEVOTED TO CONSULTATION AND HEARING PROCESS WITH NEW DISCUSSION WITH NATIONAL EXECUTIVE COMMITTEE IN JANUARY.

5. ACCORDING TO OFFICIAL PHILIPPINE NEWS AGENCY REPORT
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(REFLECTED IN "DAILY EXPRESS" AND "TIMES JOURNAL" AUG 16), MARCOS SUGGESTED THAT MEMBERS OF BODY TO AMEND THE CONSTITUTION SHOULD BE ELECTED IN MAY BEFORE RAINY SEASON. "BULLETIN TODAY" AND "ORIENT NEWS," HOWEVER, REPORT PRESIDENT SUGGESTING THEY BE CHOSEN IN JANUARY WITH PLEBISCITE ON CONSTITUTIONAL AMENDMENTS THEY PROPOSE IN MAY. DESPITE AMBIGUITY, IT APPEARS NEW LEGISLATIVE BODY TO REPLACE INA WOULD NOT BE IN PLACE UNTIL AFTER

MAY 1977.

6. IN EMPHASIZING HIS DESIRE TO CONTINUE EVOLUTION TOWARD "PARLIAMENTARY DEMOCRACY," MARCOS STRESSED THAT "EVERYTHING WAS UP TO THE PEOPLE." BUT IF THE PEOPLE ALLOW "THE VICES OF THE OLD SOCIETY TO RETURN, THEN NO MATTER WHAT THE PRESIDENT, NO MATTER WHAT THE NATIONAL EXECUTIVE COMMITTEE OR THE CABINET WILL DO, THE EXPERIMENT WILL FAIL AND WE MUST RETURN TO THE CRISIS GOVERNMENT. I AM RESOLVED TO DO THAT."

7. COMMENT: NOT SURPRISINGLY, THERE IS CONSIDERABLE CONFUSION ABOUT WHAT PRESIDENT MARCOS ACTUALLY INTENDS AS FAR AS NATIONAL ELGISLATURE IS CONCERNED. AT PRESENT, HOWEVER, IT APPEARS MARCOS ENVISAGES CONSULTATION PROCESS OF WHICH SEPT 11 "PULONG" WILL BE HIGH POINT FOLLOWED BY PLEBISCITE IN JANUARY ON KIND OF LEGISLATIVE BODY AND METHOD OF ELECTION WITH ELECTION IN MAY FOR MEMBERS OF BODY TO AMEND CONSTITUTION AND SECOND PLEBISCITE TO APPROVE AMENDMENT. PRESUMABLY ELECTIONS FOR NEW LEGISLATURE WOULD FOLLOW OR BE COMBINED WITH PLEBISCITE. IT IS ALSO POSSIBLE AMENDING BODY MIGHT BE TRANSFORMED INTO NEW LEGISLATURE AS SUGGESTED BY COMELEC CHAIRMAN PEREZ (SEE MANILA 10528). WHEN ELECTIONS ARE HELD, THEY MOST PROBABLY WILL BE INDIRECT, I.E., THROUGH THE BARANGAYS WHICH COMELEC CHAIRMAN PEREZ SAID WAS PREFERABLE DURING HIS TALKS WITH THE NATIONAL EXECUTIVE COMMITTEE AUG 14. TIME FRAME PRESIDENT HAS SET FOR EXERCISE IS EXTREMELY FLEXIBLE AND PRESIDENT CAN HASTEN OR RETARD PACE AS HE WISHES. MOREOVER, AT ANY TIME MARCOS CAN USE HIS FAIL SAFE MECHANISM AND ANNOUNCE OLD SOCIETY VICES HAVE CREPT BACK INTO POLITICAL PROCESS AND REVERT TO CURRENT "CRISIS GOVERNMENT," THEREBY, "FULFILLING SOVEREIGN WILL OF THE PEOPLE." LIMITED OFFICIAL USE

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MARCOS' REMARKS ON ABORTING INA AND AMENDING CONSTI-TUTION COME LESS THAN TWO WEEKS AFTER HE "REVEALED" TO NEWSWEEK THAT HE WAS PLANNING FOR AN ELECTION OF THE LEGISLATIVE ADVISORY COUNCIL NO LATER THAN THE FIRST QUARTER OF 1977. LESS THAN MONTH AGO (JULY 20), PRESIDENT HAD TOLD PRESS CONFERENCE HE INTENDED TO "MOVE INTO STAGE WHERE WE CAN IMPLEMENT THE CALLING OF A NATIONAL ASSEMBLY, WHETHER IT IS INTERIM OR THE ULTIMATE NATIONAL ASSEMBLY" (REFTEL). IF WE CAN BE SURE OF NOTHING ELSE IN THIS ENTIRE CONFUSED PROCESS, IT IS THAT MARCOS IS FIRMLY CONVINCED OF THE WISDOM OF EMERSON'S DICTUM THAT CONSISTENCY IS THE HOBGOBLIN OF LITTLE MINDS. SULLIVAN

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